

April 4, 2013

Ms. Stephanie Smith  
Project Manager - Nuclear Automation Licensing  
Westinghouse Electric Company, LLC.  
Suite 517  
5000 Ericsson Drive  
Warrendale, PA 15086

SUBJECT: REQUEST TO WITHDRAWAL FROM PUBLIC DISCLOSURE - ADVANCE  
LOGIC SYSTEM TOPICAL REPORT AND SUPPORTING DOCUMENTATION  
SUBMITTAL NRC PROJECT NUMBER 779 (WESTINGHOUSE  
REFERENCE 9200-00023) (TAC NO. ME4454)

Dear Ms. Smith:

By letter dated March 4, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13078A179), CS Innovations submitted an affidavit executed by Scott Roberts, President, CS Innovations dated March 4, 2013, requesting that the information contained in the documents listed in the enclosure to this letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

In the "Application for Withholding Proprietary Information from Public Disclosure," it was stated that Westinghouse Electric Company did not plan to submit nonproprietary versions of the documents listed in the enclosure. The basis given for this was because of the extensive amount of proprietary information in the documents a nonproprietary version would be of no value to the public.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
- (ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitutes Westinghouse policy and provides the rational basis required.

(iii) The information was transmitted to the NRC was done so in confidence and, under the provisions of 10 CFR Section 2.390, it is to be handled in confidence by the Commission.

(iv) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version(s) of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-7297.

Sincerely,

*/RA/*

Joseph J. Holonich, Sr. Project Manager  
Licensing Processes Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Project No.: 779

Enclosure:  
As stated

(iii) The information was transmitted to the NRC was done so in confidence and, under the provisions of 10 CFR Section 2.390, it is to be handled in confidence by the Commission.

(iv) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version(s) of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-7297.

Sincerely,

*/RA/*

Joseph J. Holonich, Sr. Project Manager  
Licensing Processes Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Project No.: 779

Enclosure:  
As stated

DISTRIBUTION:

PUBLIC	RidsNrrDpr	AMendiola	RidsAcrsAcnwMailCenter
RidsNrrDprPlpb	RidsOgcMailCenter	RidsNrrLADBaxley	JHolonich
RidsNrrDeEicb	RidsResOd	RidsNroOd	

ADAMS Accession No.: ML13067A003

NRR-106

<b>OFFICE</b>	DPR/PLPB/PM	DPR/PLPB/LA	DE/EICB/BC	DPR/PLPB/BC	DPR/PLPB/PM
<b>NAME</b>	JHolonich	DBaxley	JThorp	AMendiola	JHolonich
<b>DATE</b>	04/03/2013	04/01/2013	04/03/2013	04/03/2013	04/04/2013

### **Documents Requested to be Held as Proprietary**

1. Document titled, "6002-00005, ALS Test Plan," Rev. 4
2. Document titled, "6002-00040, ALS Terms and Abbreviations," Rev. 3
3. Document titled, "6002-00060, ALS Board Manufacturing Procedures," Rev. 1
4. Document titled, "6002-31116, ALS-311 VV Simulation Environment Specification," Rev. 4
5. Document titled, "6002-00301 -NP, Advanced Logic System Topical Report," Rev. 4
6. Document titled, "6002-00007, ALS Platform Configuration Status Accounting," Rev. 10,
7. Document titled, "6002-00400, ALS Platform Configuration Management Summary Report,"  
Rev. 3

ENCLOSURE